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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,618	04/02/2004	Paul Quentin Scott	HYC010US	9402
24011 7590 10/22/2009 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA				
EXAMINER CARTER, CANDICE D				
ART UNIT		PAPER NUMBER		
3629				
NOTIFICATION DATE		DELIVERY MODE		
10/22/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pair@silverbrookresearch.com
patentdept@silverbrookresearch.com
uscorro@silverbrookresearch.com

Office Action Summary

Application No.

10/815,618

Applicant(s)

SCOTT ET AL.

Examiner

CANDICE D. CARTER

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is a First Action Non-Final on the merits. Claims 1 and 15 have been amended. No additional claims have been cancelled. No new claims have been added. Therefore, claims 1-11, 14-17, and 20-34 are currently pending and have been considered below.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 16, 2009 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 2, 10, 11, and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris, JR et al. (20040134690, hereafter Norris) in view of Braun et al. (20040064783, hereafter Braun) and further in view of Pradhan et al. (6,968,178, hereafter Pradhan).**

As per claim 1, Norris discloses a method of enabling submission of form data to an application via a printed form, the printed form having coded data readable by a sensing device as the sensing device is used to interact with the form, the method including the steps, performed in a computer system, of:

receiving, from the sensing device: interaction data representing interaction of the sensing device with the coded data, the interaction data enabling the data to be electronically captured in the computer system; and a sensing device ID of the sensing device (¶¶ 33 and 34 discloses receiving from a digital sensor pen stroke, biometric, and pattern position information, where biometric data includes a unique pen ID and ¶¶ 43 and 44 discloses capturing information in a server);

allocating a temporary registration to the sensing device ID or to a user associated with the sensing device based on the telecommunication address of the relay device (¶¶ 61 discloses a user registering the pen; ¶¶ 35 and Fig. 1 disclose communication links for sending and receiving information back and forth from/to the pen, where there inherently is some telecommunications address in order for such communications to take place; and ¶¶ 47 discloses authenticating the pen using its MAC [telecommunications] address where this authentication data is stored in a profile as disclosed in ¶ 5 and where storing authentication and profile data is apart of the registration process as in ¶¶ 61);

store the temporary registration in a registration database (¶¶ 36 discloses storing profile data at a server that contains a database for storing profile data so that biodata

may be compared against it, where profile data includes the registration information as disclosed in ¶ 61)

the temporary registration is used to identify a return address for sending information to the user (¶ 47 discloses authenticating the pen using its MAC [telecommunications] address where this authentication data is stored in a profile as disclosed in ¶ 5 and where storing authentication and profile data is apart of the registration process; in addition in ¶ 49 Norris also discloses storing return address information at the server)

Norris, however, fails to disclose where the data is form data and transmitting the form data to the application; and identifying a telecommunication address of the relay device via which the interaction data was received.

Braun discloses a method and system for remote form completion transmitting form data received by the system to an application (¶ 56 discloses receiving form data through the use of a digital pen and transmitting the form).

Pradhan discloses information acquisition by devices in wireless network identifying a telecommunications address of the relay device via which data was received (claim 20 discloses assessing messages received by the receiver for a reply telecommunications address).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for processing mail of Norris to include the transmission of form data as taught by Braun since such would facilitate the communication and delivery of the data captured by the sensor and

to include the identification of a telecommunications address of the relay device as taught by Pradhan in order to reply to received messages.

Claim 15 recites equivalent limitations to claim 1 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 2, Norris discloses sending a message, via the telecommunication address, confirming that the at least some of the interaction data has been sent to the application (§ 60 discloses sending feedback to the pen in the form of a message to indicate that a signature has been received and verified, where the signature is the interaction data).

Claim 16 recites equivalent limitations to claim 2 and is, therefore, rejected using the same art and rationale as set forth above.

As per claim 8, Norris discloses that the sensing device is a unique identifier of the sensing device (§ 34 discloses the pen having a unique identifier).

Norris, however, fails to explicitly disclose that the sensing device ID is stored in the sensing device.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information via a sensing device of Norris to include that the sensing device ID is stored in the sensing device since it is old and well known for identifying information to be stored or contained in or on the particular item that it is identifying.

As per claim 9, Norris discloses a database of sensing device IDs and the method further includes the step of the computer system checking the unique identifier

against the database and only allocating the temporary registration if the unique identifier is not found in the database (§ 5 discloses a database containing biometric information, and checking provided biometric data against data stored in a database, where the pen identifier is biometric data as disclosed in § 34 and § 61 discloses registering the pen to a user).

The Examiner notes, the allocating of temporary registration is dependent on the phrase "if the unique identifier is not found in the database" This phrase is a conditional limitation. The noted step is not necessarily performed. Accordingly, once the positively recited steps are satisfied, the method as a whole is satisfied -- regardless of whether or not other steps are conditionally invocable under certain other hypothetical scenarios. [See: In re Johnston, 77 USPQ2d 1788 (CA FC 2006); Intel Corp. v. Int'l Trade Comm'n, 20 USPQ2d 1161 (Fed. Cir. 1991); MPEP §2106 II C].

As per claim 10, Examiner considers netpage user identification to be nonfunctional descriptive material. The specific type of registration does not change the function of the claimed invention. Examiner asserts that the system and method for processing mail of Norris is fully capable of using any type of registration.

As per claim 11, Norris discloses all of the elements of the claimed invention but fails to explicitly disclose the temporary registration is allocated when the sensing device is first used to interact with the form.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of Norris to include allocating the registration when the sensing device is first used to

interact with the form because it is old and well known to register a new device or product during the first use of the device in order to ensure that all devices being used are registered.

For example, when a customer buys a new computer or a new MP3 player they may be prompted to register the device when it is first turned on so that the user will remember to register the device.

As per claim 14, Norris discloses only a single temporary registration is allocated per sensing device or user (see ¶ 61).

As per claim 17, Norris discloses the interaction data identifies a position of the sensing device relative to the form (¶ 33 discloses pattern position information).

Norris, however, fails to explicitly disclose identifying the form.

Braun discloses remote form completion identifying the form (¶ 63 discloses determining the type of form).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of Norris to include identifying the form as taught by Braun in order to facilitate the processing of that particular form type.

5. Claims 3-6, 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris in view of Braun in view of Pradhan and further in view of Lieberman (5,855,369).

As per claims 3-6, the Norris, Braun, and Pradhan combination discloses all of the elements of the claimed invention but fails to explicitly disclose the form is disposed on a product label including human-readable information relating to the form, and the coded data relates to at least an identity of the label and includes a label identifier that is a unique product item identifier which is an electronic product code).

Lieberman discloses conducting a prize drawing game of chance having a form disposed on a product label including human-readable information relating to the form, and the coded data relates to at least an identity of the label (col. 3, line 15-30 discloses entry forms imprinted on a laser scannable barcode that uniquely identifies the particular product to be promoted, where the barcode is a label identifier/product item identifier/electronic product code).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the method of processing information from a sensing device as taught by the Norris, Braun, and Pradhan combination to include the form disposed on a product label including information relating to the form and coded data relating to the identity of the label in order to promote a particular product or item of merchandise.

As per claim 20, the Norris, Braun, and Pradhan combination discloses all of the elements of the claimed invention but fails to explicitly disclose the product label including one or more of: information fields that show information about the competition; button fields that generate one or more actions; and entry fields for user input.

Lieberman discloses conducting a prize drawing game of chance having a product label that includes information fields that show information about the competition and entry fields for user input (col. 3, line 15-29 discloses entry forms imprinted on the label of the product having entry fields for a user to input self identifying information and information about the drawing itself).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify processing of information using a sensing device of the Norris, Braun, and Pradhan combination to include the product label containing entry fields and information about the competition as taught by Lieberman in order to facilitate the promotion of the drawing and the particular product or item of merchandise.

As per claim 21, Braun discloses an input button (see ¶ 36)

The Norris, Braun, and Pradhan combination discloses all of the elements of the claimed invention but fails to explicitly disclose each button field is coincident or adjacent machine-readable coded data, the computer being configured to perform the action based on coded data sensed when the sensing device was used to interact with the button field.

Lieberman discloses conducting a prize drawing game of chance having a button field coincident machine readable coded data, the computer being configured to perform the action based on coded data sensed when the sensing device was used to interact with the label (col. 7, line 45-66 discloses the scanning of the barcode identifies the

product to which a particular entry form pertains and sorts that entry form according to product, where the sorting may be automated).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, and Pradhan combination to include a computer performing an action based on coded data sensed when the sensing device was used to interact with the label since such would facilitate the processing of the entry forms for the drawing.

As per claim 22, Norris discloses a display device associated with the user and displaying information on the display device (§ 29 discloses a display for displaying information on the pen).

Braun discloses a button (see § 36).

The Norris, Braun, and Pradhan combination, however, fails to explicitly disclose an action associated with interacting with at least one of the button fields using the sensing device.

Lieberman discloses conducting a prize drawing game of chance performing an action based on data sensed when the sensing device was used to interact with the label (col. 7, line 45-66 discloses the scanning of the barcode identifies the product to which a particular entry form pertains and sorts that entry form according to product, where the sorting may be automated).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a

sensing device of the Norris, Braun, and Pradhan combination to include a computer performing an action based on coded data sensed when the sensing device was used to interact with the label since such would facilitate the processing of the entry forms for the drawing.

As per claim 23, Norris discloses communication with the display device occurs via the telecommunication address (§ 35 and Fig. 1 disclose communication links for sending and receiving information back and forth from/to the pen, where there inherently is some telecommunications address in order for such communications to take place).

As per claim 24, the Norris, Braun, and Pradhan combination discloses all of the elements of the claimed invention but fails to explicitly disclose a label including human-readable information and machine-readable coded data, the label being configured for use with the method of claim 1 or 12, or the system of claim 15 or 18.

Lieberman discloses a label (col. 3, line 15-29 discloses a product label).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris and Braun combination to include a label as taught by Lieberman in order to promote a product or item of merchandise.

Furthermore, It has been held that the recitation that an element is "configured to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchinson, 69 USPQ 138.

In addition, It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

As per claims 25 and 31, Norris discloses receiving, from the sensing device: interaction data representing interaction of the sensing device with the coded data, the interaction data enabling the data to be electronically captured in the computer system (§ 43 discloses the pen detecting pattern information that is relayed to a pattern lookup server).

Norris, however, fails to disclose where the data is form data and transmitting the form data to the application.

Braun discloses a method and system for remote form completion transmitting form data received by the system to an application (§ 56 discloses receiving form data through the use of a digital pen and transmitting the form).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for processing mail of Norris to include the transmission of form data as taught by Braun since such would facilitate the communication and delivery of the data captured by the sensor.

The Norris, Braun, and Pradhan combination discloses all of the elements of the claimed invention but fails to explicitly disclose that the form data is for a competition entry.

Lieberman discloses conducting a prize drawing game of chance where an entry form is scanned for entry into a competition (see col. 3, line 15-29).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, and Pradhan combination to include the competition entry as taught by Lieberman in order to facilitate the promotion of a particular product or item of merchandise.

Furthermore, with respect to claim 31, it has been held that the recitation that an element is "configured to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchinson, 69 USPQ 138.

As per claim 26, Norris discloses a pen that produces interaction data (see ¶¶ 42 and 43).

The Norris, Braun, and Pradhan combination discloses all of the elements of the claimed invention but fails to explicitly disclose using a product label for enabling entry to a competition, the product label comprising:

machine-readable coded data indicative of at least an identity of the label, said machine-readable coded data being readable by a sensing device as the sensing device is moved across the product label; human-readable information pertaining to the competition, the human-readable information being at least partially coincident with the machine-readable coded data, the human-readable information including at least one

field element that has a corresponding zone defined in relation to it in a page description stored in a remote computer system.

Lieberman discloses, as best understood, conducting a prize drawing game of chance using a product label for enabling entry to a competition, the product label comprising:

machine-readable coded data indicative of at least an identity of the label, said machine-readable coded data being readable by a sensing device as the sensing device is moved across the product label; human-readable information pertaining to the competition, the human-readable information being at least partially coincident with the machine-readable coded data, the human-readable information including at least one field element that has a corresponding zone defined in relation to it in a page description stored in a remote computer system. (col. 3, line 15-29 discloses a laser scannable barcode on a product label that uniquely identifies a particular product and a label having an entry form for a competition entry, where the laser that scans the barcode is the sensing device, where the entry form is human readable);

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, and Pradhan combination to include the human readable and machine readable data on the product label as taught by Lieberman since such would facilitate the entry into the prize drawing.

As per claim 28, Norris discloses receiving interaction data from a sensor (§ 43 and 44 disclose receiving information in a computer system using a sensor pen).

Braun discloses transmitting information (§ 56 discloses receiving form data through the use of a digital pen and transmitting the form).

The Norris, Braun, and Pradhan combination, however, fails to explicitly disclose identifying a telecommunication address of the entrant and forwarding information from the competition administrator to a telecommunication address of the entrant.

Lieberman discloses conducting a prize drawing game of chance identifying a telecommunications address of the entrant (see col. 6, line 13-15) and forwarding information from the competition administrator to the entrant (col. 8, line 8-16 discloses notifying the entrant that they have won a prize).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, and Pradhan combination to include notifying an entrant that they have won a prize via the telecommunication address of the entrant of Lieberman in order to communicate to the entrant that they have won the competition.

The Norris, Braun, Pradhan, and Lieberman combination discloses all of the elements of the claimed invention but fails to explicitly disclose associating a temporary telecommunication address and sending the temporary telecommunication address to a competition administrator.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, Pradhan and Lieberman combination to include associating a temporary address with an actual address because it is old and well known to use an

anonymous address in order to control one way communication so as to prevent communications that may be considered spam.

As per claims 29, 30, and 33, Norris discloses using a sensing device for generating interaction data by sensing at least some coded data, the interaction representing interaction of the sensing device with the coded data and forwarding the data to be captured in a computer system (§ 43 and 44 disclose receiving a information via a sensor pen in a computer system, where the pen is the sensor that is used to receive information).

Braun discloses transmitting the data (§ 56 discloses receiving form data through the use of a digital pen and transmitting the form).

The Norris, Braun, and Pradhan combination, however, fails to explicitly disclose disposing coupons on a product label and receiving coupon redemption information from a coupon administrator.

Lieberman discloses conducting a prize drawing game of chance having entry forms or coupons printed on product labels which includes coded data that can be used to determine a unique product identifier (col. 3, line 15-30 discloses entry forms imprinted on a laser scannable barcode that uniquely identifies the particular product to be promoted, where the barcode is a label identifier/product item identifier/electronic product code and line 11-45 discloses coupons on product labels).

And receiving coupon/prize redemption information from the coupon administrator (col. 8, line 8-16 discloses notifying the entrant that they have won a prize).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, and Pradhan combination to include coupons on product labels and receiving coupon redemption information as taught by Lieberman in order to promote a particular product or merchandise item.

The Norris, Braun, Pradhan and Lieberman combination discloses all of the elements of the claimed invention but fails to explicitly disclose only receiving a predetermined combination of coupon offers that has been transmitted to the coupon administrator.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, Pradhan, and Lieberman combination to include only receiving a predetermined amount of coupon offers because it is old and well known for a lottery, prize drawing, or competition coordinator to only allow an entrant to submit a predetermined amount of competition entries since such would prevent users from flooding the competition with a large number of entries to increase their chances of winning.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Norris in view of Braun in view of Pradhan and further in view of Dougherty et al. (6,076,734, hereafter Daugherty).

As per claim 7, the Norris, Braun, and Pradhan combination discloses all of the elements of the claimed invention but fails to explicitly disclose the coded data is substantially invisible to a human.

Daugherty discloses an encoding scheme having coded data that is invisible to a human (§ 33 discloses a barcode printed using invisible inks). Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the method of processing via a sensing device of the Norris, Braun, and Pradhan combination to include the invisible coded data as taught by Daugherty because it is a well known barcode scheme.

7. Claims 27, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris in view of Braun in view of Pradhan in view of Lieberman and further in view of Seidman (5,080,364).

As per claim 27, Norris discloses receiving interaction data representing interaction of a sensing device with the coded data, the interaction data enabling the information to be electronically captured in the computer system (§ 43 and 44 disclose receiving information that is printed on an envelope in a computer system, where the pen is the sensor that is used to receive information).

Braun discloses transmitting information received by the sensor (§ 56 discloses receiving form data through the use of a digital pen and transmitting the form).

Lieberman discloses a competition entry (see col. 3, line 15-29).

The Norris, Braun, Pradhan, and Lieberman combination, however, fails to explicitly disclose assigning a competition alias ID to the competition entry.

Seidman discloses assigning a competition alias ID to a competition entry (col. 2, line 23-44 discloses assigning a code to a competition entry, where the code is anonymous as it does not identify any particular individual but rather a winning drawing).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, Pradhan, and Lieberman combination to include assigning a competition alias ID to a competition entry since such would identify a winning participant.

Furthermore, Examiner considers who the data is being transmitted to be nonfunctional descriptive material. The specific entity to which the data is transmitted does not change the function of the claimed invention. Examiner asserts that the system of the Norris, Braun, Lieberman, and Seidman combination is fully capable of transmitting information to anyone or anything.

As per claims 32 and 34, Norris discloses receiving interaction data representing interaction of a sensing device with the coded data, the interaction data enabling the information to be electronically captured in the computer system (§¶ 43 and 44 disclose receiving information that is printed on an envelope in a computer system, where the pen is the sensor that is used to receive information).

Braun discloses transmitting information received by the sensor (§ 56 discloses receiving form data through the use of a digital pen and transmitting the form).

Lieberman discloses a competition entry via a product label with a product identifier or coupons (see col. 3, line 15-29 and col. 4, line 11-44).

The Norris, Braun, Pradhan, and Lieberman combination, however, fails to explicitly disclose assigning a competition alias ID to the competition entry.

Seidman discloses assigning a competition alias ID to a competition entry (col. 2, line 23-44 discloses assigning a code to a competition entry, where the code is anonymous as it does not identify any particular individual but rather a winning drawing).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the processing of information using a sensing device of the Norris, Braun, Pradhan, and Lieberman combination to include assigning a competition alias ID to a competition entry since such would identify a winning participant.

Furthermore, Examiner considers who the data is being transmitted to be nonfunctional descriptive material. The specific entity to which the data is transmitted does not change the function of the claimed invention. Examiner asserts that the system of the Norris, Braun, Pradhan, Lieberman, and Seidman combination is fully capable of transmitting information to anyone or anything.

Response to Arguments

8. Applicant's arguments have been fully considered but they are not persuasive.

In response to Applicant's arguments with respect to claim 1 and the "temporary registration", Examiner respectfully disagrees. Examiner still maintains that the fact that the registration is temporary is nonfunctional. The process steps involved in registering a pen would be the same process regardless of whether or not it is a temporary registration or a permanent registration. For example, if a new car owner wanted to register their vehicle in Virginia the registration process would be the same even if that same driver moved to Maryland after a year and had to register that same vehicle in Maryland after having a previous registration in Virginia. The Virginia registration, in this example, was temporary but the process was still the same. Therefore, the system of Norris is still believed to read on Applicant's invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CANDICE D. CARTER whose telephone number is (571) 270-5105. The examiner can normally be reached on Monday thru Thursday 7:30am- 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. C./
Examiner, Art Unit 3629

/JOHN G. WEISS/
Supervisory Patent Examiner, Art Unit 3629